



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, शुक्रवार, 8 अप्रैल, 1960/19 चैत्र, 1882

HIMACHAL PRADESH ADMINISTRATION

LOCAL SELF GOVERNMENT DEPARTMENT

NOTIFICATION

Simla-4, the 12th March, 1960/22nd Phalguna, 1881

No. LSG. 18-70/59.—In pursuance of directions of the Government of India *vide* their Order No. 26/4/59-SR-(R), dated the 22nd February, 1960 the bye-laws are hereby published in the Himachal Pradesh Rajpatra.

By order,
K. R. TANDON,
Under Secretary.

THE HIMACHAL PRADESH TERRITORIAL COUNCIL (DELEGATION OF POWERS) BYE-LAWS, 1960

The following bye-laws made by the Himachal Pradesh Territorial Council in exercise of the powers conferred by clause (i) of sub-section (1) of section 55 of the Territorial Councils Act, 1956 (103 of 1956), having been confirmed by the Central Government under sub-sections (2) and (3) of that section, are hereby published for general information.

BYE-LAWS

1. (1) These bye-laws may be called the Himachal Pradesh Territorial Council (Delegation of Powers) Bye-laws, 1960.
- (2) They shall come into force at once.

2. In these bye-laws, unless the context otherwise requires,—
- 'Council' means the Himachal Pradesh Territorial Council;
 - 'Chairman' means the Chairman of the Council;
 - 'Chief Executive Officer' means the Chief Executive Officer of the Council;
 - 'Principal Officer' means Principal Officer Incharge of Engineering, Health Services or Education Department of the Council;
 - 'Officer Incharge, Veterinary' means Officer Incharge of the Veterinary Department of the Council.
3. (1) The power of transferring officers or other employees of the Council specified in the second column of the table below from one charge or post to another may be exercised by the authority specified in the corresponding entry in column 3 thereof.

TABLE

Sl. No. 1	Classification of Officers and other Employees 2	Authority empowered to transfer 3
1.	Officers or other employees drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred.	Chairman.
2.	Officers or other employees drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less.	Chief Executive Officer, Principal Officers and Officer Incharge, Veterinary may also exercise the powers in respect of their departments to the extent delegated by the Chief Executive Officer in this behalf.

(2) Notwithstanding anything contained in clause (1) the power of making inter-departmental transfer in all cases shall lie with the Chairman.

4. The Chairman may exercise the following powers:—

- To sanction Air Journeys in cases of absolute urgency and necessity;
- To countersign his own T.A. Bills, T.A. Bills of the members of the Council and of the Chief Executive Officer the Principal Officers and the Officer Incharge, Veterinary;
- To decide in case of doubt whether the particular employee is serving in a vacation department;
- To sanction permanent advances not exceeding rupees two hundred in any one case in respect of subordinate officers;
- To waive proviso (a) to Supplementary Rule 209 and to authorise departure from Supplementary Rule 211, regarding combination of holidays with leave and joining time;
- To sanction advances to the Chief Executive Officer, the Principal Officers and Officer Incharge, Veterinary, on transfer, tour etc.;
- To prescribe Headquarters of Officers and other employees;
- To dispense with a medical certificate of fitness before appointment to posts carrying a minimum monthly salary (exclusive of allowances) of more than rupees one hundred;

- (9) To sanction grant of acceptance of honorarium above Rs. 200 and upto a maximum of Rs. 500 in each case. In the case of recurring honoraria this limit applies to the total of the recurring payment made to an individual in a year;
- (10) To retain a Council servant drawing salary (exclusive of allowances) in the post in the scale the minimum of which is more than rupees one hundred in a year to year basis;
- (11) To sanction halts at stations in excess of ten days and upto thirty days in respect of employees drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred.
- (12) To decide the shortest or cheapest of two or more routes, in the case of journeys performed by the Chief Executive Officer, Principal Officers, Officer Incharge, Veterinary and Members of the Council;
- (13) To allow mileage allowance by a route other than the shortest or cheapest, in the case of journeys performed by the Members of the Council, Chief Executive Officer, Principal Officers and Officer Incharge, Veterinary, provided selection of the route is in public interest;
- (14) To require medical certificate of fitness before return from leave from the Chief Executive Officer, Principal Officers and Officer Incharge, Veterinary;
- (15) To permit an inferior servant to draw the fare of higher class when accompanying an Officer on train which does not provide the class to which he is entitled;
- (16) To prescribe the headquarters of the employees of the Council drawing pay in the scales the minimum of which is more than rupees one hundred;
- (17) To allow the exchange of daily for mileage allowance in respect of employees drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred;
- (18) To impose restrictions on the exchange of daily for mileage allowance on particular days by the employees of the Council drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred;
- (19) To grant travelling allowance to non-officials attending the meetings of committees and commissions of enquiry, etc., set up by the Council and to fix their grades;
- (20) To grant leave when a Medical Committee has reported that there is no reasonable prospect of a Council employee drawing salary (exclusive of allowances) in the scale the minimum of which is more than rupees one hundred being fit to return to duty;
- (21) To permit calculations of joining time by a route other than that which traveller ordinarily uses, in the case of Chief Executive Officer, Principal Officers and Officer Incharge, Veterinary;
- (22) To extend joining time within a maximum of 30 days, in the case of employees drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred;
- (23) To vary the terms of repayment of advances granted to employees in exceptional cases;
- (24) To sanction advances for the purchase of conveyances to Council employees subject to the limits and conditions laid down in the

General Financial Rules of the Government of India, and orders issued by the Government of India thereunder in this regard, and subject to production of sureties in respect of temporary employees;

- (25) To authorise the sale or transfer of motor vehicles purchased with advance from Council, in cases mentioned in clause (v) of para. 256 of the General Financial Rules of the Government of India;
- (26) To suspend a lien in the case of employees of the Council drawing salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred;
- (27) To transfer a lien in the case of employees of the Council drawing a monthly salary (exclusive of allowances) in the scales the minimum of which is more than rupees one hundred;
- (28) To permit undertaking of private work and acceptance of fee above Rs. 200 and upto Rs. 500 in each case, except in the case of Medical Officers and Veterinary Assistant Surgeons for professional attendance or by others for literary work.

In the case of recurring fee, the limit applies to the total of the recurring payments made to an individual in a year.

5. The Chief Executive Officer may exercise the following powers in respect of all Officers and employees of the Council other than the Principal Officers, and Officer Incharge, Veterinary:—

- (1) To dispense with a medical certificate of fitness before appointment to post carrying minimum monthly salary (exclusive of allowances) of rupees one hundred or less;
- (2) To suspend a lien in the case of employees of the Council drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less;
- (3) To transfer a lien, provided that he is authorised to make appointments to the posts concerned;
- (4) To sanction grant of acceptance of honorarium upto a maximum of Rs. 200 in each case. In the case of recurring honoraria this limit applies to the total of the recurring payments made to an individual in a year;
- (5) To appoint an employee of the Council to hold combined charges and to fix emoluments, provided Chief Executive Officer has powers to make appointments to each post;
- (6) To retain Council servants drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less in service after attaining the age of superannuation on a year to year basis;
- (7) To permit undertaking of private work and acceptance of a fee upto Rs. 200 in each case, except in the case of Medical Officers and Veterinary Assistant Surgeons for professional attendance or by others for literary work. In the case of recurring fee, the limit applies to the total of the recurring payments made to an individual in a year;
- (8) To allow mileage allowance by a route other than the shortest or cheapest provided the selection of the route is in public interest;
- (9) To prescribe the headquarters of the employees of the Council drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less;

- (10) To allow the exchange of daily for mileage allowance in respect of the Council employees drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less;
- (11) To impose restrictions on the exchange of daily for mileage allowance on particular days by the employees drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less, travelling in a public or a hired conveyance;
- (12) To allow actual cost of maintaining a camp during a sudden journey away from it;
- (13) To prescribe the scale of camp equipment, servants, horses, etc. to be carried at Council's expense by an officer allowed to recover actual cost of first or last journey of an extensive tour;
- (14) To permit the recovery of actual cost of conveying camp equipment, horses, camels, motor cars etc;
- (15) To limit the extent of the equipment etc. mentioned above;
- (16) To permit the recovery of actual cost of maintaining camp equipage during a halt at or near headquarters;
- (17) To prescribe the scale of tents to be carried at Council's expense on transfer;
- (18) To sanction halts at station in excess of ten days, but less than thirty days in the case of employees drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less;
- (19) To disallow travelling allowance for a journey to attend an obligatory examination if it is considered that the candidate culpably neglected the duty to prepare for it;
- (20) To permit drawal of travelling allowance for a journey to attend a departmental examination;
- (21) To fix amount of hire charges when an employee of the Council is provided with conveyance at Council's expense but has to pay cost of its use or propulsion;
- (22) To declare who shall be the controlling officer and to make rules for his guidance, provided that an employee of the Council shall not be declared his own controlling officer;
- (23) To grant leave when a Medical Committee has reported that there is no reasonable prospect of the Council employee drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less, being fit to return to duty;
- (24) To permit calculations of joining time by a route other than that which traveller ordinarily uses;
- (25) To extend joining time within a maximum of thirty days in the case of employees drawing salary (exclusive of allowances) in the scales the minimum of which is rupees one hundred or less;
- (26) To prescribe the form of security bond to be executed by a subordinate authority entrusted with custody of cash, stores, etc.,
- (27) To sanction advances for law suits to which the Council is a party;
- (28) To obtain standard forms;
- (29) To order the destruction of Council's records subject to the conditions laid down by the Council in this behalf;
- (30) To order the retention of undisbursed pay and allowances of employees drawing salary (exclusive of allowances) in the scales

the minimum of which is rupees one hundred or less for any period not exceeding three months;

6. The Chief Executive Officer, the Principal Officers and Officer Incharge, Veterinary, may exercise the following powers in relation to their respective departments, and officers and other employees under them:—

- (a) To define the limit of the sphere of duties of the officers and employees;
- (b) To restrict the frequency and duration of journeys of officers and employees;
- (c) To countersign T.A. Bills of officers and employees and to sanction advances on transfer, tour, etc.,
- (d) To sanction investigation of claim for arrears of pay, etc.,
- (e) To issue instructions for the guidance of subordinate authorities in the matter of contingent expenditure;
- (f) To require medical certificate of fitness for return from medical leave provided he is authorised to grant leave;
- (g) To accept certificate of fitness signed by any registered medical practitioner;
- (h) To decide whether a particular absence is absence from duty provided he is authorised to grant the leave;
- (i) To sanction in the case of buildings and other structures repair works upto Rs. 2,500 in each case provided that the expenditure is incurred in accordance with the instructions issued from time to time in that behalf by the Council;
- (j) To incur contingent expenditure on the purchase of stores in case in which no limit or restriction is laid down in Annexures A and B to Appendix 8 of the General Financial Rules (Volume II)—

Non-recurring upto Rs. 1,000 in each case;

Recurring rupees two hundred per annum in each case;

Provided that nothing in this clause shall prevent the Chief Executive Officer from exercising these functions in respect of departments under the control of Principal Officers and Officer Incharge Veterinary.

- (k) To decide the shortest or cheapest of two or more routes;
- (l) To sanction the grant of concession for anti-rabic treatment;
- (m) To accept in the case of a female candidate, medical certificate from a female medical practitioner;
- (n) To sanction advances to Council employees on transfer, tour, etc.

7. The Chief Executive Officer, the Principal Officer and Officer Incharge, Veterinary; may exercise the powers for incurring expenditure in respect of the following items of contingencies in the same manner and to the same extent as Heads of Departments are empowered to incur under the General Financial Rules subject to such special rules, restrictions and exceptions regarding individual items of contingencies as are laid down in Annexure A to Appendix 8, Vol. II of the said Rules:—

- (1) Purchase and repair of bicycles.
- (2) Carriage of Records.
- (3) Electric and Water Charges.

- (4) Freight and demurrage charges.
- (5) Purchase of fixtures and furniture.
- (6) Purchase of instruments, minor equipments and apparatus.
- (7) Liveries and clothing and other articles.
- (8) Repair to and hiring of, motor vehicles, for departmental purposes.
- (9) Miscellaneous office expenses from contingencies.
- (10) Postal and Telegraph Charges including charges of remittance of pay etc. and moneys due to contractors and suppliers.
- (11) Purchase of books, newspapers, etc.
- (12) Repairs to, erection and removal of, machinery.
- (13) Upkeep of type-writers, duplicators and calculating machines.
- (14) Winding and regulating office clocks and maintenance of call-bells.
- (15) Grant of conveyance hire to non-gazetted Council employees.
- (16) Fire Protection.
- (17) Hire of electric fans, heaters, type-writers etc.
- (18) Hot and cold weather charges.
- (19) Engagement of inferior servants whose pay is met from contingencies.
- (20) Purchase of locks, electric bulbs and scales.
- (21) Renting of lands and buildings and recovery of rents of buildings from Council employees occupying rented houses.
- (22) Payment of taxes and toll fees.
- (23) Charges for telephone connection of Council officers with existing telephone system.
- (24) Repairs to tents and camp furniture.
- (25) Incurring law charges.

8. The Assistant Engineers, District Medical Officers, Assistant Animal Husbandry Officers, District Inspectors of Schools and Head Masters/Head Mistresses of High Schools/Higher Secondary Schools, etc., may incur the following expenditure within the amount of appropriation placed at the disposal:—

- (i) Contingent (Recurring) upto Rs. 120 per year, provided that the expenditure does not exceed Rs. 10 in each case.
- (ii) Contingent (Non-recurring) upto Rs. 200 per year, provided that the expenditure does not exceed Rs. 20 in each case.

9. (1) Character Rolls as contemplated in Rule 108 of the Territorial Council Rules, 1957, may be maintained by the authority specified in the third column of the Table below in respect of the officers or employees specified in the corresponding entry in the second column thereof:—

TABLE

Sl. No.	Classification of Officers and other Employees	Authority empowered to maintain Character Rolls
1	2	3
1.	Chief Executive Officer, Principal Officers, Accounts Officer, Private Secretary and Personal Assistant to Chairman and all employees in the office of the Chairman.	Chairman.

1	2	3
2.	Officer Incharge, Veterinary, and all employees in the office of the Chief Executive Officer.	Chief Executive Officer.
3.	District Medical Officers, Assistant Surgeons (Class I Gazetted), Assistant Surgeons (Class II Gazetted), Matrons and all employees in the office of the Principal Officer, Health Services.	Principal Officer, Health Services.
4.	All employees under the District Medical Officers.	District Medical Officers in respect of employees under them [other than Assistant Surgeons (Gazetted)].
5.	District Inspector of Schools, Assistant District Inspectors, Headmasters, Headmistresses of High Schools, Registrar, Examinations, Lady Supervisor, Physical Training Instructors, Assistant Physical Training Instructors and trained Graduate teachers and all employees in the office of the Principal Officer, Education.	Principal Officer, Education.
6.	Headmasters, Headmistresses of Middle Schools, all teachers of Primary, Middle Schools, Clerks and Peons, etc.	District Inspector of Schools.
7.	All staff excluding trained Graduate teachers working under them.	Headmasters/Headmistresses of High Schools.
8.	Executive Engineers and Assistant Engineers and all employees working in the Office of Principal Officer, Engineering.	Principal Officer, Engineering.
9.	Overseers, Head Clerks, Accountants, Clerks, Draughtsman, Tracers and Peons, etc. working under them.	Executive Engineers.
10.	Work Charged Establishment working under them.	Assistant Engineers.
11.	Assistant Animal Husbandry Officers, Rinderpest Officer and all employees working in the office of the Officer Incharge Veterinary.	Officer Incharge, Veterinary.
12.	Clerks and Peons etc. working under them.	Assistant Animal Husbandry Officers, Rinderpest Officer.

(2) Character Rolls of employees of the Council not referred to above may be maintained by the Chief Executive Officer.

10. Subject to the provisions of the Territorial Councils Act, 1956 and the rules made thereunder, the following powers may be exercised by the Executive Engineers and Assistant Engineers of the Council within the limits specified below:—

Sl. No.	Nature of power	Assistant Engineer	Executive Engineer	Remarks
1	2	3	4	5
1.	Power of Technical sanction.	Below Rs. 5,000 in each case.	Below Rs. 30,000 in each case.	
2.	Power to purchase books.	—	Rs. 50 p.a.	

1	2	3	4	5
3. Local purchase of stores.	—	Rs. 500 (a)	(a) for each item or class of similar items or inter connected articles purchased at one time subject to a maximum of Rs. 10,000 per annum.	
4. Sanction of advertisement charges.	—	Rs. 200 for each job.		
5. Power to sanction extra item.	Rs. 250 or 5 per cent of the contract amount, whichever is less.	Rs. 5,000 (b)	(b) in respect of contracts accepted by any authority. Within the limit they can also sanction rates which cannot be derived from the agreement or the sanctioned schedule of rates upto Rs. 1,000.	
6. Passing First and Final Bills and Running Accounts Bills.	Rs. 5,000	Full		
7. Passing of Bills of Workcharged Establishment.	—	Full (c)	(c) Employment should be made by competent authority and bill pre-checked by Divisional Accountant.	
8. Passing excess of expenditure over sanctioned original works and repairs.	—	Rs. 250		
9. Write off of T. and P. and other store materials of which part value has been recovered.	—	Rs. 1,500		

11. The Standing Committee for Public Works Department and Engineering may accord administrative and financial sanction in respect of original works involving expenditure upto Rs. 30,000 in any one case.

12. The Principal Officer Incharge of Education Department may exercise the following powers:—

- (1) Grant of exemption from age limit of students;
- (2) Sanction change in the name of scholars;
- (3) Countersign school leaving or transfer certificates; and
- (4) Condone shortages of attendance of students of High Class subject to conditions, if any, laid down by the University of Punjab.